



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 8023

**\*SB0102008023SR0\***

Offered by:

SEN. MCKINNEY, 28<sup>th</sup> Dist.

To: Senate Bill No. 1020

File No. 654

Cal. No. 483

### ***"AN ACT CONCERNING THE INTERSTATE WILDLIFE VIOLATOR COMPACT."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 26-72 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2013*):

5 (a) The commissioner may, after notice and public hearing  
6 conducted in the manner prescribed by section 26-67, issue regulations  
7 governing and prescribing the taking of all species of fur-bearing  
8 animals by use of traps within the state. Such regulations may (1)  
9 establish the open and closed seasons, (2) establish the legal hours, (3)  
10 prescribe the legal methods that may be used, including size, type and  
11 kind of traps and the type and kind of bait and lures, (4) designate the  
12 places where traps may be placed and set and the conditions under  
13 which the placing and setting of traps will be legal, (5) establish the  
14 daily bag limit and the season bag limit, and (6) assess a reasonable fee,  
15 or develop a comparable equitable plan, for season trapping rights on

16 state-owned property. Assignment of such rights for specific areas may  
17 be determined by drawing or by the order in which requests therefor  
18 are recorded as received in the office of the commissioner when there  
19 is a set fee for such areas, or the method of high bid may be used.

20 (b) No person shall set, place or attend any trap upon the land of  
21 another without having in such person's possession the written  
22 permission of the owner or lessee of such land, or such owner's or  
23 lessee's agent, and no person shall set, place or attend any trap not  
24 having the name of the person using such trap legibly stamped  
25 thereon or attached thereto, provided the owner or legal occupant of  
26 such land or such person as such owner or legal occupant designates  
27 may set, place or attend any legal steel trap in any place within a  
28 radius of one hundred feet of any permanent building located on such  
29 land. No person who sets, places or attends any trap shall permit more  
30 than twenty-four hours to elapse between visits to such trap, except  
31 that if such twenty-four-hour period expires before sunset, the person  
32 who set such trap shall have until sunset to visit the trap. Any person  
33 who sets, places or attends any trap shall report each incident of the  
34 trapping of a nontarget animal to the Department of Energy and  
35 Environmental Protection within twenty-four hours. No person shall  
36 place, set or attend any snare, net or similar device capable of taking or  
37 injuring any animal. As used in this subsection, "nontarget animal"  
38 means an animal of a species not intended to be taken.

39 (c) No person shall place any leghold trap on or within one hundred  
40 feet of the real property comprising a public or private elementary or  
41 secondary school, licensed child day care center, as defined in section  
42 19a-77, that is identified as a child day care center by a sign posted in a  
43 conspicuous place, state park, municipal park, municipal playground,  
44 public boat launch, roadside rest area, public picnic area, public  
45 campground, blazed trail or state hiking trail. As used in this  
46 subsection, "leghold trap" means a device designed to close on the foot  
47 or leg of an animal with sufficient force to hold the animal until the  
48 person tending the trap returns, and includes, but is not limited to, a  
49 steel jawed leghold style trap that is either padded or unpadded.

50 Nothing in this subsection shall prevent any person duly authorized  
51 by the Department of Energy and Environmental Protection from  
52 setting a leghold trap within one hundred feet of such areas listed in  
53 this subsection to control nuisance wildlife.

54 (d) The pelt of any fur-bearing animal legally taken may be  
55 possessed, sold or transported at any time. Upon demand of any  
56 officer having authority to serve criminal process or any representative  
57 of the Department of Energy and Environmental Protection, any  
58 person in possession of any such pelt shall furnish to such officer or  
59 such representative satisfactory evidence that such pelt was legally  
60 taken or acquired.

61 (e) No provision of this section shall be construed as prohibiting any  
62 landowner or lessee of land used for agricultural purposes or any  
63 citizen of the United States, or any person having on file in the court  
64 having jurisdiction thereof a written declaration of such person's  
65 intention to become a citizen of the United States, who is regularly  
66 employed by such landowner or lessee, from pursuing, trapping and  
67 killing at any time any fur-bearing animal, except deer, which is  
68 injuring any property, or the owner of any farm or enclosure used for  
69 breeding or raising any legally acquired fur-bearing animal who has a  
70 game breeder's license issued by the commissioner or a fur breeder's  
71 license issued by the Department of Agriculture, from taking or killing  
72 any such animal legally in his or her possession at any time or having  
73 in possession any pelt thereof.

74 (f) No person shall molest, injure or disturb any muskrat house or  
75 den at any time.

76 (g) Any fur-bearing animal legally taken alive may be possessed by  
77 the person taking the animal, provided the person shall notify the  
78 commissioner in a writing signed by the person stating the species and  
79 sex of such animal, the date and the name of the town where such  
80 animal was taken and the specific address where such animal will be  
81 kept. Any representative of the department may at any time inspect

82 such animal and the enclosure or other facilities used to hold such  
83 animal and make inquiry concerning the diet and other care such  
84 animal should have and if, in the opinion of the commissioner or such  
85 representative, such animal is not being provided adequate or proper  
86 facilities or care, such animal may be seized by such representative of  
87 the department and be disposed of as determined by the  
88 commissioner. Fur-bearing animals taken alive, as provided in this  
89 section, shall not be sold or exchanged, provided the person who  
90 legally possesses such animal may apply to the commissioner for a  
91 game breeder's license or to the Department of Agriculture for a fur  
92 breeder's license and when so licensed such person may breed such  
93 animal and the progeny thereof, and such issue when three  
94 generations removed from the wild may be sold or exchanged alive or  
95 dead.

96 (h) Any trap illegally set and any snare, net or similar device found  
97 placed or set in violation of the provisions of this section shall be  
98 seized by any representative of the department and, if not claimed  
99 within twenty-four hours, the commissioner may order such trap,  
100 snare, net or other device destroyed, sold or retained for use by the  
101 commissioner.

102 (i) Any person who violates any provision of this section, or any  
103 regulation issued by the commissioner shall be fined not more than  
104 two hundred dollars or be imprisoned not more than sixty days, or  
105 both.

106 (j) Whenever any person is convicted, or forfeits any bond, or has  
107 such person's case nolledd upon the payment of any sum of money, or  
108 receives a suspended sentence or judgment for a violation of any of the  
109 provisions of this section or any regulation issued hereunder by the  
110 commissioner, all traps used, set or placed in violation of any such  
111 provisions or any such regulation may, by order of the trial court, be  
112 forfeited to the state and may be retained for use by the department or  
113 may be sold or destroyed at the discretion of the commissioner. The  
114 proceeds from any such sale shall be paid to the State Treasurer and

115 the State Treasurer shall credit such proceeds to the General Fund."

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| This act shall take effect as follows and shall amend the following sections: |  |  |
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| Sec. 501 | <i>October 1, 2013</i> | 26-72 |
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